Listing of Claims

Claims 1-3 (Cancelled)

Claim 4 (Currently Amended): A process for the preparation of amorphous (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester, which comprises:

a) dissolving crystalline (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester in ~~an~~the inert organic solvent,

b) concentrating the solution,

c) adding water,

d) precipitating the amorphous product,

e) optionally isolating the precipitated product to obtain amorphous (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester.

Claim 5 (Previously Presented): The process according to claim 4, wherein the organic solvent is selected from the group of lower C_1-C_4 alkanols.

Claim 6 (Previously Presented): The process according to claim 4, wherein the organic solvent is methanol.

Claim 7 (Original): The process according to claim 4, wherein the concentration of the solution is performed at reduced pressure to a point where the solution is clear.

Claims 8-10 (Cancelled)

Claim 11 (Currently Amended): ~~The~~ A process ~~according to claim 8 wherein the process~~ for the preparation of amorphous (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester, which comprises:

a) dissolving crystalline (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester in an ~~the~~ inert organic solvent,

b) evaporation of the inert organic solvent,

c) isolation of the amorphous product.

12. (Previously Presented): The process according to claim 11, wherein the dissolving of crystalline (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester in the inert organic solvent is performed at about room temperature or under heating up to about 60°C.

13. (Previously Presented): The process according to claim 11, wherein the inert organic solvent is selected from the group consisting of lower alkanoles, chlorinated lower alkanes, ketones, aromatic hydrocarbons, cyclic ethers and nitriles.

14. (Previously Presented): The process according to claim 11, wherein the inert organic solvent is selected from the group consisting of methanol, chloroform, methylene chloride, acetone, benzene, toluene, tetrahydrofuran and acetonitrile.

15. (Currently Amended): The process according to claim ~~8~~11 wherein the isolation of the amorphous product comprises evaporating the inert organic solvent at room or increased temperature and at normal or reduced pressure.

Claim 16 (Cancelled)

Claim 17 (Currently Amended): (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester in an solid amorphous form ~~The compound according to claim 16~~ with HPLC purity higher than 85%.

Claim 18 (Currently Amended): The compound according to claim ~~16~~17 with HPLC purity higher than 95%.

Claim 19 (Currently Amended): The compound according to claim ~~16~~17 with HPLC purity higher than 99%.

Claim 20 (Currently Amended): The compound according to claim ~~16~~17 having an X-ray powder diffraction pattern substantially as shown in Figure 1.

Claim 21 (Currently Amended): The compound according to claim ~~16~~17 having a DSC thermogram substantially as shown in Figure 2.

Claim 22 (Currently Amended): A process for the production of atorvastatin calcium comprising the steps of:

a) preparing the solid amorphous ~~dissolving the~~ (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester according to claim 4 or 11, and~~in the organic solvent,~~

~~b) isolating amorphous (4R-cis) 6 [2 [3 phenyl 4 (phenylcarbamoyl) 2 (4-flourophenyl) 5 (1 methylethyl) pyrrol 1 yl] ethyl] 2,2 dimethyl [1,3] dioxane 4 yl acetic acid – tertiary butyl ester and~~

b~~c~~) using the solid amorphous (4R-cis)-6-[2-3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl—[1,3]-dioxane-4-yl-acetic-acid – tertiary butyl ester in the synthesis of atorvastatin.

Claim 23 (Cancelled)

Claim 24 (Currently Amended): The process according to claim 22, ~~The use of (4R-cis)-6-[2-[3-phenyl-4-(phenylcarbamoyl)-2-(4-flourophenyl)-5-(1-methylethyl)-pyrrol-1-yl]-ethyl]-2,2-dimethyl--[1,3]-dioxane-4-yl-acetic-acid--tertiary-butyl-ester-according-to-claim-22~~ wherein the atorvastatin is in the form of a calcium salt.

Claim 25 (New): The process according to claim 11, wherein the inert organic solvent is selected from the group consisting of lower alkanoles, chlorinated lower alkanes, ketones, aromatic hydrocarbons, cyclic ethers and nitriles.

Claim 26 (New): The process according to claim 11, wherein the inert organic solvent is selected from the group consisting of methanol, chloroform, methylene chloride, acetone, benzene, toluene, tetrahydrofuran and acetonitrile.